REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	09 October 2000
Name of applicant/court:	Comptroller of Customs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Bound & Gagged Issue 62
Other Known Titles:	Bound & Gagged Issue No. 62 January/February 1998
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	The Outbound Press
Author:	Not Applicable
Format:	Magazine
Country of Origin:	USA
Language:	English

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The magazine entitled *Bound & Gagged Issue 62* is classified as:
Objectionable.

Bound & Gagged Issue 62 is a 64 page magazine dated "January/February 1998" and published in the United States. The magazine mainly contains stories explicitly describing and depicting sexual activity between males intended for reader entertainment, information and sexual stimulation. These stories are purported to be readers' letters relating real experiences. Two stories are fiction by readers responding to an explicit drawing. All the stories detail bondage and discipline, humiliation and sadomasochistic activities, and are narrated in the first-person by the submissive or dominated character in the scenario. The stories are supported by explicit drawings and photographs depicting men in a sexualised manner and sexual activity between men. Other content includes advertisements for sexual products and services and personal contacts. The target audience is homosexual men.

The magazine is deemed objectionable because it tends to promote and support the use of coercion to compel a person to submit to sexual conduct, and the use of urine in association with sexual and degrading conduct. A fictional story for reader entertainment and sexual stimulation explicitly details a man capturing, assaulting, restraining and forcing sexual conduct on another as punishment for trespassing and as a warning to other trespassers. In the same story the captor repeatedly urinates on the captive or uses urine to degrade him. A second story similarly details the use of urine during a sexual encounter between two men, which the "master" also uses to degrade the "slave".

The relevant provisions of the New Zealand Bill of Rights Act 1990 (NZBR Act) have been taken into account in determining this classification. As the publication falls under s3(2) of the Films, Videos, and Publications Classification Act 1993, it is deemed objectionable. A classification of "objectionable" places a limit on the right to freedom of expression set out in s14 of the NZBR Act. However, in relation to this publication, the classification is considered to be a reasonable limit prescribed by law.

OFLC Ref: 190